



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982



Pine Island Realty Trust (Jeannette Murray)
2971 Brown Ave.
Manchester, NH 03103

LETTER OF DEFICIENCY
#SP-2001-33
December 27, 2001

Dear Ms. Murray:

On December 4, 2001, personnel from the Department of Environmental Services, Water Division ("DES") conducted a site inspection of your property identified as Manchester Tax Map 750, Lot# 29, Brown Ave., Pine Island Pond, Manchester, New Hampshire. The purpose of this site inspection was to determine compliance with RSA 483-B; the Comprehensive Shoreland Protection Act ("CSPA"). During the inspection the following deficiencies were noted:

Within the natural woodland buffer of the protected shoreland, a well-distributed stand of trees, saplings, shrubs and groundcovers was not left in place.

An area of your property within 150 feet of the reference line of Pine Island Pond has been clear-cut of trees. The effected area is approximately 300 feet in length, and varies in width from 25 feet to 50 feet. RSA 483-B prohibits the clear-cutting of trees and other vegetation within 150 feet of public waters except that a "building envelope" is allowed for the purpose of construction. DES was informed by the Manchester Building Department that a building permit has not been issued for this property.

A report outlining how compliance will be achieved with the above cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. This report should include a to-scale revegetation plan with a key explaining species, number, diameter and height of proposed plantings, as well as a timetable for when the planting will be completed. Saplings should be 1-2 inches in diameter, 4-6 feet in height and all plantings should be from the "List of New Hampshire Native and Naturalized Species".

In the event that a compliance report cannot be submitted within this time period, DES may order you to take such remedial measures as may be necessary. Failure to comply with such an Order may result in enforcement action by DES under RSA 483-B:18. In addition, DES personnel may conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with the applicable statute.

Enclosed, for your information, are copies of fact sheets explaining the Comprehensive Shoreland Protection Act, a copy of the Act, Shoreland Code of Administrative Rules Env-Ws 1400, a guide to restoration of shoreland property, and proper installation and maintenance of erosion control measures.

The written report identifying corrective measures to be taken should be addressed as follows:

Allyson Gourley
Shoreland Compliance Coordinator
NHDES
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions please contact Allyson Gourley at (603) 271-6876.

Sincerely
COPY
Mary Ann Tilton
Senior Enforcement Officer
Wetlands Bureau

CERTIFIED MAIL

Enclosures

cc: Gretchen C. Rule, Enforcement Coordinator-DES ✓
Russell A. Nylander, P.E., Chief Engineer-WD/DES
Shoreland Program-NHDES
Jody Connor- Director, NHDES Limnology Center
Manchester Conservation Commission
Manchester Board of Selectmen
Manchester Building Department